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C O N F I D E N T I A L SECTION 01 OF 03 BANJUL 000444

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TAGS: [KMCA](#) [PGOV](#) [PHUM](#) [PREL](#) [AU](#) [GA](#)
SUBJECT: THE GAMBIA: DAS THOMAS-GREENFIELD DISCUSSES HUMAN
RIGHTS CONCERNS

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Classified By: P/E OFF E. SCHWEFLER, REASON 1.4 (b and d)

11. (C) SUMMARY. While visiting The Gambia to attend the African Union (AU) Summit, Deputy Assistant Secretary for African Affairs Linda Thomas-Greenfield met with government and civil society leaders to discuss concerns over the negative trend in their country's human rights record (see reftel for background). On 30 June, DAS Thomas-Greenfield met with The Gambia's third-ranking official, National Assembly Speaker Belinda Bidwell. On the same day, the Ambassador hosted a luncheon with key human rights activists. The treatment of detainees, the prospects for free and fair elections (septel) and the state of The Gambia's independent press were the recurrent topics of her meetings. With the exception of the Speaker of the National Assembly, there was consensus among the various interlocutors that President Jammeh's autocratic behavior and governing style was hurting the country. On the margins of the Summit, DAS Thomas-Greenfield discussed The Gambia's suspension from MCC eligibility with The Gambia's Vice President and the Minister of Finance. END SUMMARY.

National Assembly Speaker Defends Human Rights Abuses

12. (C) National Assembly Speaker Bidwell started her conversation with DAS Thomas-Greenfield on a defensive note. When asked what message she would like to pass to Washington, Bidwell replied with what she said was the same answer she gave the leaders of the International Bar Association when they asked for her intervention on behalf of detained lawyer Mariam Denton: "the world is different since 9/11 and Al Qaeda, and when it comes to matters of national security and the safety of the population, extraordinary measures must occasionally be taken." She compared those detainees who were picked up in connection with the failed coup plot in March but who have yet to be charged with those in Guantanamo Bay, pointing out that such things even happen in developed countries. In response to the Speaker's point, DAS Thomas-Greenfield stated categorically that the detention of alleged coup plotters and others in The Gambia could not be compared to the Global War on Terror.

13. (C) According to Bidwell, in a further reference to the failed coup plot, the low capacity and meager resources that The Gambia has for investigating a crime as severe as treason further complicate the situation. She took exception with critics who focus on the human rights of detainees while disregarding what she considered the human rights of the entire population that was threatened by the coup plotters. She speculated that there would probably have been bloodshed

had the coup plotters succeeded, and referenced the former Speaker Sherif Dibba, who had been detained (subsequently released) for possible involvement in the coup plot. Bidwell stated "I know he doesn't like me and maybe if the coup had succeeded I would be 6-feet deep today."

¶4. (C) Speaker Bidwell continued her defense of the government's actions in the wake of the failed coup plot by pointing out the violence and conflict that can be seen throughout West Africa. She said that The Gambia does not want to turn into a Sierra Leone, Liberia or Ivory Coast and that "a firm stand is needed to establish peace." She attempted to explain President Jammeh's severe crackdown following the failed coup plot by citing his relative youth (he is 41) and the fact that his ethnic group, Jolla, is looked down upon by much of Gambian society. According to Bidwell, the President "feels this pressure and feels a need to assert himself, to be aggressive and show that he is the boss." She acknowledged that he makes mistakes, but asserted that he will listen to reason as long as he is not confronted directly. NOTE: A similar opinion was expressed in an earlier meeting with Anglican Bishop Tilewa Johnson, who stated that the President acts like a different man when he feels he has been &cornered.8 END NOTE.

¶5. (C) Bidwell did express concern for some of the detainees, notably lawyer Mariam Denton and National Assembly member Duta Kamaso. In the case of Mariam Denton, Bidwell said that she believes Denton must have been involved in the coup plotting. (See para 10 for more on Denton,s case.) As for Kamaso, Bidwell said that she did ask the President for an explanation about her colleague's detention and was told to &stay out of it,8 and that Kamaso was a "danger to her state and party." Bidwell explained that when her President tells her such a thing she must respect it. Bidwell rationalized her position by reiterating that, in matters of national security, the human rights of detainees must be

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secondary to the protection of the nation; she remarked that "even if I am a suspect, then I should be detained until things are certain."

¶6. (C) In their presentation to the Speaker, both DAS Thomas-Greenfield and Ambassador stressed that the United States has regarded The Gambia as a friend in recent years, and that President Jammeh should be proud of his achievements on behalf of the country,s development, but that his current behavior was unhealthy for our relationship and the nation. They expressed that his decisions and actions have made it impossible to defend him and were a factor behind the regrettable but necessary decision to suspend The Gambia's eligibility for the Millennium Challenge Account. Bidwell acknowledged these concerns and stated that she would raise these issues with the President when she meets with him following the Summit. At the end of the meeting, the Speaker urged U.S. funding to strengthen the capacity of the National Assembly. COMMENT: Though initially defiant, in the course of the conversation Bidwell seemed to come around to the U.S. position and her manner eventually indicated a frustration with the President. Though it is doubtful that she would firmly push the President on human rights issues, she gave the impression at the conversation,s end that she did not completely believe in the statements she had made earlier on his behalf. END COMMENT.

Activists Condemn Human Rights Abuses, Broken Judiciary

¶7. (C) At a June 30 luncheon hosted by the Ambassador, human rights activists presented DAS Thomas-Greenfield with a bleak picture of the human rights situation in The Gambia. Luncheon attendees -- Gambia Press Union Secretary Ndey Sesseh, Foundation for Legal Aid, Research and Empowerment (FLARE) Chairperson Almani Taal, Gambia Committee on

Traditional Practices (GAMCOTRAP) Secretary General Dr. Isatou Touray, and Gambia Bar Association President Amie Bensouda -- acknowledged progress in some areas of development (e.g., upgrading infrastructure) under President Jammeh, but agreed that power has become too centralized and that the country would be better served by a new leader. There was little optimism expressed for the prospects of a free election or transfer of power in the current environment.

18. (C) All of the luncheon attendees expressed a lack of confidence in The Gambia's judicial system. Several examples were given of people going to the courts for remedy (i.e. visitation rights, detention without charge, &The Independent's8 closure, by-election irregularities), only to be met with unnecessary delay and general inaction. Bar Association President Amie Bensouda cited the case of Mariam Denton as a blatant example of The Gambia,s failed judicial system, noting that Denton claimed that she was being pressed to reveal information that her client, detained alleged coup plotter Tamsir Jasseh, may have revealed to her about his plans. Further, according to Bensouda, Denton believes that she remains in detention because the President is angry about her refusal of his offer to join his government and the APRC.

19. (C) The activists further asserted that Jammeh's tendency to fire or arrest those who question or criticize has resulted in a government filled with powerless ministers and incompetent senior officials. Dr. Touray made a strong plea for U.S. funding to be given directly to those CSO's that are struggling to make a difference, as opposed to channeling money through the government. It was the group's opinion that government will only give funding to those organizations that "toe the party line."

10.(C) Despite the group's overall skepticism towards the political process, one participant, Dr. Touray, stated that she is resigning her position with GAMCOTRAP, a government-linked institution, to focus full time on human rights activism and grass-roots political mobilization. She explained that the success she had mobilizing women to press their Deputies to vote without reservation in favor of the AU Protocols on Women last month had motivated her to devote herself to a range of women,s issues and to encourage women to run for office in January's National Assembly elections. COMMENT: Dr. Touray claims no interest in running for office "at this time", but clearly presents herself as someone with political potential and aspirations. END COMMENT.

Gambian Officials Disappointed by MCA Suspension

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11. (SBU) On the margins of the AU Summit, DAS Thomas-Greenfield met briefly with Gambian Vice President Isatou Njie-Saidy and Minister of Finance Mousa Bala Gaye to discuss The Gambia's recent suspension from MCA eligibility. The Finance Minister expressed sincere disappointment with the suspension, noting that he looked forward to working with us to address GOTG performance slippage raised in the suspension notification.

12. (SBU) The opposition leaders and civil society representatives who met with DAS Thomas-Greenfield all expressed appreciation for U.S. concern and interest in the The Gambia,s human rights situation and urged that we keep the pressure on the GOTG to reverse the current negative trend.

13. (C) COMMENT: The civil society representatives, negative assessment of The Gambia,s human rights situation was generally consistent with their past assertions to us) but the stridency of their presentations on this occasion

underscored the deterioration in the GOTG,s human rights record in the aftermath of the failed coup plot. That deterioration has overshadowed recent positive elements in the GOTG,s performance, e.g. improved efforts to combat trafficking in persons and ratification, without reservation, of the AU Protocol on Women,s Rights. As for MCA, we believe that it and the prospects of reinstatement of eligibility remain a useful source of leverage in our efforts to get the GOTG to take steps to reverse the policy slippage in human rights and other areas that led to the suspension of The Gambia,s MCA eligibility. END COMMENT.

¶14. (U) This cable was cleared by DAS Thomas-Greenfield.
STAFFORD